



PATENT 5797-00500

<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

In re A	Application of:	Group Art Unit: 2181			
	Phillip M. Matthews et al.	Examiner: Daley, Christopher			
	,	§			
Serial	No. 10/814,426	Atty. Dkt. No. 5797-00500			
5 '' 1		Atty. Dkt. No. 5797-00500 I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents. P.O. Box 1450.			
Filed: March 31, 2004		I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope			
For:	Communication Apparatus	addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:			
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	With Restricted Bus Access	Stephen J. Cuuran Registered Kepresentative			
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		§			
	INFORMATION DISC	LOSURE STATEMENT			
Comn	nissioner for Patents				
P.O. Box 1450					
Alexa	ndria, VA 22313-1450	t ·			
Sir:					
	A	as references listed on the attached Form PTO			
•		ne references listed on the attached Form PTO-			
1449	and/or $igsqcup$ the additional information identi	fied below in paragraph 3.			
	Pursuant to CFR §1.98(a)(2)(i), copies of the cited U.S. patents and/or U.S. pater				
	application publications are not e				
		nd/or non-U.S. patent application publication			
	reference listed on the Form PTO				
		PTO-1449 were previously cited in application			
		the captioned application is seeking priority a copy of each reference is not enclosed.			
	ander 33 o.s.e. §120, therefore,	a copy of each reference is not enclosed.			
1	This Information Disclosure Statement is	Information Disclosure Statement is submitted:			

1

continued prosecution application under § 1.53(d);

1.491 in an International application;

continued examination under § 1.114.

within 3 months of the filing date of a national application other than a

within 3 months of the date of entry of the national stage as set forth in §

before the mailing of a first Office Action after the filing of a request for

before the mailing date of a first Office Action on the merits; or

	D.		final Office Action or Notice of Allowance, and thus: the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.		
	c.		after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.		
2.	It is he	ereby certified:			
		that each item of information contained in this Information Disclosure Stat was cited in a communication from a foreign patent office in a counterpart f application not more than three months prior to the filing of the Statement, or			
		was cit applica making	item of information contained in the Information Disclosure Statement ed in a communication from a foreign patent office in a counterpart foreign tion or, to the knowledge of the person signing the certification after greasonable inquiry, was known to any individual designated in § 1.56 (c) can three months prior to the filing of the Statement.		
3.			eration of the following additional information (including any co-pending adoned U.S. applications, prior uses and/or sales, etc.) is requested:		
4.	For ea	ach non-English language reference listed on the attached Form PTO-1449:			
		referen	ce is made to an English language translation submitted herewith, and/or		
			ce is made to a foreign patent office search report (in the English language) ted herewith, and/or		
			ce is made to an English language translation of a foreign patent office report submitted herewith, and/or		
			ce is made to the concise explanation contained in the specification of the application at page(s), and/or		
		referen	ce is made to the concise explanation set forth below:		
5.		Applica	ant also offers the following comments for the Examiner's consideration:		
6.	\boxtimes	Also enclosed is a copy of a foreign search report citing these references.			
7.		paymer	sted documents were brought to the attention of the Applicant(s) after nt of the issue fee in the captioned case. The documents were cited in a unication from a foreign patent office in a counterpart foreign application		

not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5797-00500/BNK.

Respectfully submitted,

Stephen J. Curran Reg. No. 50,664

Agent for Applicant(s)

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

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Date: 1-3-07

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449/PTO Modified Complete if Known Application Number 10/814,426 Confirmation No.: 5709 INFORMATION DISCLOSURE March 31, 2004 Filing Date: STATEMENT BY APPLICACE P (Use as many sheets as necessary) ROSS First Named Inventor: Phillip Matthews Art Unit: 2181 Examiner Name: JAN 0 8 2007 Christopher Daley Attorney Docket Number: 5797-00500 Sheet 1 of TENT DOCUMENTS

Name of Patentee of Document Number Examiner Cite Name of Patentee or Pages, Columns, Lines, Initials* No.1 Date MM-Applicant of Cited Document Where Relevant DD-YYYY Passages or Relevant Number-Kind Code (if Figures Appear known) **FOREIGN PATENT DOCUMENTS** Foreign Patent Document **Publication Date** Name of Patentee Pages, Columns, Lines, Examiner Cite Check if MM-DD-YYYY Where Relevant Passages or Applicant of Initials* English No.1 Cited Document Or Relevant Figures Translation Country Code-Number-Kind Appear Code (if known) is attached B₁ WO 2004/021684 03-11-2004 NON PATENT LITERATURE DOCUMENTS Check if Examiner Cite Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the English No.1 Initials* item (book, magazine, journal, serial, symposium, catalog, etc.), date, (page(s), volume-issue Translation number(s), publisher, city and/or country where published. is attached B2 International Search Report in Application No. PCT/US2005/010641 Mailed October 12, 2006 Examiner Date Considered Signature

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application. ¹Applicant's unique citation designation number (optional).